

ESTTA Tracking number: **ESTTA410622**

Filing date: **05/24/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052260
Party	Defendant Edgar Alexander Barrera
Correspondence Address	R. EMMETT MCAULIFFE RIEZMAN BERGER, P.C. 7700 BONHOMME, 7TH FLOOR ST LOUIS, MO 63105 UNITED STATES rem@riezmanberger.com
Submission	Motion to Extend
Filer's Name	Emmett McAuliffe
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Date	05/24/2011
Attachments	SKMBT_75011052412270.pdf ( 3 pages )(114978 bytes )

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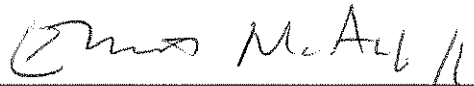
STEPHEN A. WESTLAKE,	)	
	)	
Petitioner,	)	Cancellation No. 92/052,260
	)	(Serial No. 77/378,015)
v.	)	
	)	
EDGAR ALEXANDER BARRERA,	)	
	)	
Respondent.	)	

**MOTION FOR CONTINUANCE FOR GOOD CAUSE**

COMES NOW the Respondent, by and through counsel, and requests the resetting of the dates in this proceeding, for good cause, to wit, the Respondent has a medical condition, expected to last for at least 90 days during which he will be unable to participate in this case. Attached is the statement of Respondent's physician, received by fax.

The dates in this proceeding are requested to be reset accordingly.

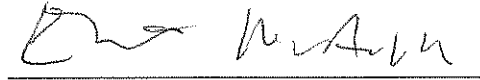
RIEZMAN BERGER, P.C.

By:   
R. Emmett McAuliffe #33583  
7700 Bonhomme, 7<sup>th</sup> Floor  
St. Louis, Missouri 63105  
(314) 727-0101 (Phone)  
(314) 727-6458 (Fax)  
Attorneys for Respondent

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing instrument was placed in the United States Mail, postage prepaid, this 23rd day of May, 2011 and also emailed, addressed to:

Mark Levy  
700 Security Mutual Building  
80 Exchange Street  
Binghamton, NY 13902

A handwritten signature in dark ink, appearing to read "Mark Levy", is written over a horizontal line.

GOHAR S. KHAN, M.D. P.A.

905 BEVILLE RD.

SO. DAYTONA, FL 32119

(386) 767-9000

Fax (386) 767-3761

May 23, 2011

Edgar Alexander Barrera Date of Birth: 03/11/1972 Social Security No: [REDACTED] 7225

To Whom It May Concern:

My patient, Edgar Alexander Barrera, is still facing health issues that affect his ability to participate in any court proceedings.

Assuming that Mr. Barrera's recovery continues on its current pace, I anticipate this will be the last letter I will need to write on his behalf.

As I wrote in previous letters to the court, Mr. Barrera was hospitalized from Sept. 19 to Oct. 2 last year with acute pancreatitis, an inflammation of the pancreas, a gland that produces enzymes that enable the body to digest food. It is a life-threatening condition, especially as it leaves the body vulnerable to a host of complications.

Full recovery can take a year or more. Mr. Barrera is still experiencing bloating and other gastric symptoms, along with fatigue, and loss of concentration. But in general, he is making satisfactory progress.

Unfortunately, just as Mr. Barrera began showing real progress recovering from pancreatitis, another medical condition flared up.

Again, as I explained in previous letters, Mr. Barrera has suffered for many years from cervical dystonia, a chronic neurological condition that causes involuntary neck spasms. Dystonia is not life-threatening, but it can be very painful and seriously limit a patient's mobility. There is no cure and treatments to relieve the symptoms have yielded mixed results.

I have referred Mr. Barrera to two specialists for treatment, a neurologist and a gastroenterologist. We are awaiting their reports.

He still needs rest and should avoid unnecessary stress, which would definitely include testifying in a legal case.

I know he wants to get this matter out of the way, but he's presently in considerable discomfort from his dystonia to the point where he would have difficulty giving testimony or otherwise participating in legal proceedings.

Accordingly, I would hope his case might be continued through the summer months and resume after Labor Day.

As his primary care physician, I would hope that Mr. Barrera should be in good enough health by the end of summer to begin his case and see it through to a conclusion without any delays caused by a return of his illnesses. This would be not only in Mr. Barrera's best interest but also help everyone involved in this legal matter.

Sincerely,



Gohar S. Khan, M.D.